

# EXHIBIT 2

**SUPREME COURT OF THE STATE OF NEW YORK**

**2 | COUNTY OF NEW YORK**

3 ORLY GENTER in her individual capacity  
and on behalf of the Orly Genger 1993  
4 Trust (both in its individual capacity  
and on behalf of D&K Limited Partnership),

**Plaintiff,**

- against -

8 DALIA GINGER, SAGI GINGER, LEAH FANG,  
D&K GP LLC, and TPR INVESTMENT ASSOCIATES,  
INC..

**Defendant**

Index No. 109749/09

575 Lexington Avenue  
New York, New York

February 7, 2013  
10:41 a.m.

17 RESUMED DEPOSITION of DALIA GENTER,  
18 taken before Annette M. Montalvo, RMR, and a  
19 Notary Public in and for the State of New York.

23           ELLEN GRAUER COURT REPORTING CO. LLC  
24            126 East 56th Street, Fifth Floor  
25            New York, New York 10022  
              212-750-6434  
              Ref: 102350

1 GENTER

2 difference is --

3 Q. Okay.

4 A. -- when you are saying that.

5 Q. Look at Exhibit 14, paragraph 10.

6 Exhibit 14 is an affidavit of yours, sworn to on  
7 March 11, 2008. And look at paragraph 10, page 3  
8 to 4.

9 A. Okay.

10 Q. Second sentence.

11 A. Okay. You mean, this is what Orly's  
12 writing?

13 Q. This is what you wrote. You signed it.

14 A. Where? Where does it say? Orly  
15 Genger, petitioner, against me.

16 Q. Dalia 14. Affidavit of Dalia Genger.

17 MR. MEISTER: Yes.

18 BY THE WITNESS:

19 A. Okay. I got it. Affidavit of Dalia  
20 Genger. Okay. I'm sorry. It is number 10, you  
21 said?

22 BY MR. GRIVER:

23 Q. Yes. Paragraph 10.

24 A. Yeah.

25 Okay. So, what? So I guess "redeem"

1 GENTER

2 means that I am kind of giving -- I am selling  
3 the shares to the company?

4 Q. Selling --

5 A. The shares --

6 Q. Letting the shares go back to the  
7 company --

8 A. I mean, going from me --

9 Q. To TPR?

10 A. To TPR. Okay.

11 Q. And --

12 A. From my ownership to TPR ownership.

13 Q. Right. And you did that because that  
14 way both Orly and Sagi would share equally?

15 A. Yeah.

16 Q. And it was important to you that that  
17 happened because you wanted to treat both your  
18 children equally?

19 A. Obviously.

20 Q. And it was important to you that you  
21 let the court know that in its decision as to  
22 whether or not you should be trustee?

23 A. I don't know if that was the reason,  
24 but, yeah, obviously, I want both my kids to be  
25 treated equally.

1 C E R T I F I C A T E

2

3 STATE OF NEW YORK )

4 )

5 COUNTY OF NEW YORK )

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7 I, ANNETTE M. MONTALVO, Registered  
8 Merit Reporter and Notary Public within and for  
9 the State of New York, do hereby certify:

10 That DALIA GINGER, the witness whose  
11 deposition is hereinbefore set forth, was duly  
12 sworn by me and that such deposition is a true  
13 record of the testimony given by such witness.

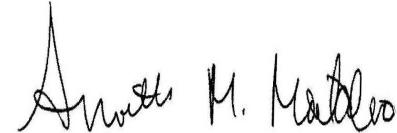
14 I further certify that I am not related  
15 to any of the parties to this action by blood or  
16 marriage and that I am in no way interested in  
17 the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 20th day of February, 2013.

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24 Annette M. Montalvo, RMR

25 My commission expires: January 31, 2015